

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MOHAMMED MAJED CHEHADE REFAI,

Plaintiff,

vs.

UNITED STATES OF AMERICA, et al.,

Defendants.

Case No. 2:08-cv-01096-PMP-PAL

ORDER

(Mtn for Scheduling Conf - Dkt. #112)

This matter is before the court on the Defendants United States of America's and Peter Lazaro's (together, the "Defendants") Expedited Motion for Rule 16 Scheduling Conference (Dkt. #112) filed October 8, 2009; Plaintiff's Opposition (Dkt. #113) filed October 8, 2009; and Defendants' Reply (Dkt. #114) filed October 9, 2009. The court has considered the motion, the opposition, and the reply.

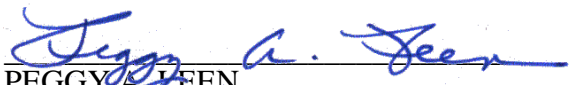
The motion seeks a scheduling conference in order to resolve three pending scheduling issues. First, Defendants seek to determine whether it is necessary to decide Defendant Lazaro's Motion to Stay Discovery (Dkt. #92). Second, Defendants seek to determine whether briefing is required on the Plaintiff's pending Motion to Compel (Dkt. #110) in light of the pending Motion to Stay Discovery (Dkt. #92). Last, counsel for the United States has recently been called for grand jury service on November 16, 2009, rendering his appearance at the November 17, 2009 hearing on the Motion to Compel (Dkt. #110) difficult. In opposition, Plaintiff states that all issues Defendants seek to discuss are raised in the Motion to Stay (Dkt. #92), and there is no need for a status conference. Further, Plaintiff argues that Defendants are attempting to have their motions heard before the court can hear Plaintiff's motion to compel in an effort to gain a strategic advantage. In reply, Defendants assert that clarification is required to proceed in a way that protects Defendants' right to privilege from discovery if the court finds those rights exist.

1 Having reviewed and considered the matter, and good cause appearing,

2 **IT IS ORDERED** that:

- 3 1. Oral argument on Defendant Lazaro's Motion to Stay Discovery (Dkt. #92) is scheduled
4 for **October 15, 2009 at 1:45 p.m.**
- 5 2. Defendants' Expedited Motion for Rule 16 Scheduling Conference (Dkt. #112) is
6 **GRANTED.** A scheduling conference will be held **October 15, 2009 at 1:45 p.m.**
7 Counsel may appear telephonically. Those counsel wishing to appear telephonically
8 shall contact the courtroom administrator Melissa Jaime at (702) 464-5415 no later than
9 4:00 p.m. on October 14, 2009 to provide a telephone number at which they can be
10 reached.

11 Dated this 13th day of October, 2009.

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14 PEGGY A. LEEN
15 UNITED STATES MAGISTRATE JUDGE
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